

CV 11 - 2995

FILED
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US DISTRICT COURT E.D.N.Y.

★ JUN 22 2011 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
IN THE MATTER OF THE COMPLAINT

Civil Action No. **BROOKLYN OFFICE**

**NOTICE OF COMPLAINT FOR
EXONERATION FROM OR
LIMITATION OF LIABILITY**

of

ENKO TRANSPORTATION, LLC, as bareboat
charterer and/or owner *pro hac vice* of TUG
JENNY ANNE FOR EXONERATION FROM OR
LIMITATION OF LIABILITY,

FEUERSTEIN, J.

Petitioner.

BOYLE M.J.

PLEASE TAKE NOTICE that ENKO TRANSPORTATION, LLC (hereinafter "Petitioner") as bareboat charterer and/or owner *pro hac vice* of Tug JENNY ANNE, a 1968 47-foot motor vessel (the "Tug") has filed a Complaint claiming the right to Exoneration from or Limitation of Liability pursuant to the vessel owner's Limitation of Liability Act, Title 46 U.S.C. §§ 30501 *et seq.*, for all loss, damages, injury, and/or expenses arising or resulting from an alleged sinking of a barge on November 8, 2008, while transiting the navigable waters of Manhasset Bay, County of Nassau, New York, as described in the Complaint, and

PLEASE TAKE FURTHER NOTICE that all persons, firms, entities or corporations, having any claim or suit against Petitioner arising or resulting from the alleged incident must file a Claim as provided in Rule "F" of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions of the Federal Rules of Civil Procedure, with the Clerk of the Court, at the United States District Court for the Eastern District of New York, 100 Federal Plaza, Central Islip, New York 11722 and must deliver or mail to the attorneys for the Petitioner, James E. Mercante, Esq., Rubin, Fiorella & Friedman LLP, a copy on or before _____, 2011, or be defaulted. Personal attendance is not required.

Further, any Claimant desiring to contest Petitioner's right either to Exoneration from or Limitation of Liability shall file an Answer to the Complaint on or before the aforesaid date as required by Supplemental Rule "F" of the Federal Rules of Civil Procedure, and deliver or mail a copy to the attorneys for the Petitioner, or be defaulted.

Dated: Central Islip, New York
June , 2011

Clerk of the Court